

the same, executed by the person possessed of said land next before the petitioner: *Provided, however,* That in cases wherein the process of surveying shall be disputed, and the surveyor shall be forbidden to proceed by any person interested, the same proceedings shall be had as in like cases of processioning land. The petitioner shall set forth the whole substance of the conveyance as truly and specifically as he can, and if any of the persons notified shall, by answer, deny the truth thereof, the court may cause proper issues to be submitted to a jury concerning the execution and contents of the same, and the true boundaries of the land claimed; and on their verdict and the pleadings, the court shall adjudge the rights of the parties, and declare the contents of the deed, if any deed be found by the jury, and allow the registration of such judgment and declaration, which shall have the force and effect of a deed.

SEC. 4. *Be it further enacted,* That any person desirous of establishing the contents of a will destroyed as aforesaid, there being no copy thereof, may file his petition, setting forth the entire contents thereof according to the best of his knowledge, information and belief, and all persons having any interest under the same shall be made parties, and if the truth of such petition be denied, the court may direct proper issues to be made up, and the matter in controversy tried by a jury, and the court shall declare on the pleadings and the finding of the jury, whether such will was recorded, and if so recorded, the contents thereof, and the declaration of the court shall be recorded as the will of the testator. Any devisee or legatee shall be a competent witness as to the contents of every part of said will, except such as may concern his own interest in the same. Wills, &c.

SEC. 5. *Be it further enacted,* That every person desirous of perpetuating the contents of any destroyed judgments, order or proceeding of court, or of any paper admitted to record or registration, or directed to be filed for safe keeping, other than wills or conveyances of real estates, or some right or interest therein, may file his petition, setting forth the substance of the whole record, proceeding or paper which he desires to perpetuate; and if on the hearing, the court shall declare the existence of such record, proceeding Judgments, &c.